

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

*In re Flint Water Cases*

Case No. 5:16-cv-10444-JEL-EAS  
(Consolidated)

Hon. Judith E. Levy

Mag. Elizabeth A. Stafford

**CLASS PLAINTIFFS' *EX PARTE* MOTION TO EXTEND THE PAGE  
LIMIT OF THEIR REPLY IN SUPPORT OF CLASS PLAINTIFFS'  
MOTION TO STRIKE AND JUDGMENT ON THE PLEADINGS**

Class Plaintiffs respectfully move the Court to allow them to file an omnibus reply in support of the Class Plaintiffs' Motion to Strike and Judgment on the Pleadings that exceeds the limit of 7 pages set by E.D. Mich. LR 7.1(d)(3)(B) for the reasons explained in the memorandum attached hereto. Class Plaintiffs seek leave to file a reply brief of no more than 10 pages.

By: /s/ Theodore J. Leopold

Theodore J. Leopold  
COHEN MILSTEIN SELLERS & TOLL  
PLLC  
2925 PGA Boulevard, Suite 220  
Palm Beach Gardens, FL 33410  
Telephone: (561) 515-1400  
tleopold@cohenmilstein.com  
**CO-LEAD CLASS COUNSEL**

By: /s/ Michael L. Pitt

Michael L. Pitt  
PITT MCGEHEE PALMER & RIVERS,  
P.C.  
117 West 4th Street, Suite 200  
Royal Oak, MI 48067  
Telephone: (248) 398-9800  
mpitt@pittlawpc.com  
**CO-LEAD CLASS COUNSEL**

By: /s/ Emmy L. Levens

Emmy L. Levens  
COHEN MILSTEIN SELLERS &  
TOLL PLLC  
1100 New York Ave. NW  
Suite 500  
Washington, DC 20005  
Telephone: (202) 408-4600  
elevens@cohenmilstein.com  
**CO-LEAD CLASS COUNSEL**

By: /s/ Stephen Morrissey

Stephen Morrissey  
Jordan Connors  
Katherine M. Peaslee  
SUSMAN GODFREY, L.L.P.  
401 Union Street, Suite 3000  
Seattle, WA 98101  
Telephone: (206) 516-3880  
smorrissey@susmangodfrey.com  
jconnors@susmangodfrey.com  
kpeaslee@susmangodfrey.com  
**EXECUTIVE COMMITTEE FOR  
CLASS PLAINTIFFS**

By: /s/ Lear Jiang

Lear Jiang  
SUSMAN GODFREY, L.L.P.  
1900 Avenue of the Stars, Suite 1400  
Los Angeles, CA 90067  
(310) 789-3100 Telephone  
(310) 789-3150 Facsimile  
ljiang@susmangodfrey.com  
**EXECUTIVE COMMITTEE FOR CLASS  
PLAINTIFFS**

By: /s/ Peretz Bronstein

Peretz Bronstein  
BRONSTEIN, GEWIRTZ &  
GROSSMAN, LLC  
60 East 42nd Street, Suite 4600  
New York, NY 10165  
Telephone: (212) 697-6484  
peretz@bgandg.com

***EXECUTIVE COMMITTEE FOR  
CLASS PLAINTIFFS***

By: /s/ Esther E. Berezofsky

Esther E. Berezofsky  
MOTLEY RICE LLC  
210 Lake Dr. East, Suite 101  
Cherry Hill, New Jersey 08002  
Telephone: (856) 667-0500  
eberezofsky@motleyrice.com

***EXECUTIVE COMMITTEE FOR  
CLASS PLAINTIFFS***

By: /s/ Teresa A. Bingman

Teresa A. Bingman  
LAW OFFICES OF TERESA A.  
BINGMAN, PLLC  
4131 Okemos Road, Suite 12  
Okemos, Michigan 48864  
Telephone: (877) 957-7077  
tbingman@tbingmanlaw.com

***EXECUTIVE COMMITTEE FOR CLASS  
PLAINTIFFS***

By: /s/ Paul F. Novak

Paul F. Novak (P39524)  
WEITZ & LUXENBERG, P.C.  
3011 W. Grand Blvd., Suite 2150  
Detroit, MI 48202  
Telephone: (313) 800-4170  
pnovak@weitzlux.com

***EXECUTIVE COMMITTEE FOR CLASS  
PLAINTIFFS***

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

*In re Flint Water Cases*

Case No. 5:16-cv-10444-JEL-EAS  
(Consolidated)

Hon. Judith E. Levy

Mag. Elizabeth A. Stafford

**MEMORANDUM IN SUPPORT OF CLASS PLAINTIFFS' *EX PARTE*  
MOTION TO EXTEND THE PAGE LIMIT FOR THE REPLY IN  
SUPPORT OF MOTION TO STRIKE AND JUDGMENT ON THE  
PLEADINGS**

Pursuant to E.D. Mich. LR 7.1, Class Plaintiffs respectfully apply to file a reply of 10 pages or less in support of their Motion to Strike and for Judgment on the Pleadings (Dkt. 2411). Class Plaintiffs intend to file an omnibus reply addressing two separate oppositions to the Motion to Strike and for Judgment on the Pleadings filed by Defendant VNA and LAN/LAD. Defendants' two separate oppositions collectively total over 48 pages of briefing. *See* Dkts. 2424, 2425. An omnibus reply of no more than 10 pages will allow Class Plaintiffs to address Defendants' oppositions more efficiently, and in a manner more streamlined for the Court and for the Parties.

## CONCLUSION AND REQUEST FOR RELIEF

Class Plaintiffs seek leave to exceed the 7-page limit for reply briefs, and file an omnibus reply brief of no more than 10 pages in response to Defendants' two separate oppositions to Class Plaintiffs' Motion to Strike and for Judgment on the Pleadings.

Dated: May 3, 2023

Respectfully submitted,

By: /s/ Theodore J. Leopold  
Theodore J. Leopold  
COHEN MILSTEIN SELLERS & TOLL  
PLLC  
2925 PGA Boulevard, Suite 220  
Palm Beach Gardens, FL 33410  
Telephone: (561) 515-1400  
tleopold@cohenmilstein.com  
**CO-LEAD CLASS COUNSEL**

By: /s/ Michael L. Pitt  
Michael L. Pitt  
PITT MCGEHEE PALMER & RIVERS,  
P.C.  
117 West 4th Street, Suite 200  
Royal Oak, MI 48067  
Telephone: (248) 398-9800  
mpitt@pittlawpc.com  
**CO-LEAD CLASS COUNSEL**

By: /s/ Emmy L. Levens  
Emmy L. Levens  
COHEN MILSTEIN SELLERS &  
TOLL PLLC  
1100 New York Ave. NW  
Suite 500  
Washington, DC 20005  
Telephone: (202) 408-4600  
elevens@cohenmilstein.com  
**CO-LEAD CLASS COUNSEL**

By: /s/ Stephen Morrissey  
Stephen Morrissey  
Jordan Connors  
Katherine M. Peaslee  
SUSMAN GODFREY, L.L.P.  
401 Union Street, Suite 3000

By: /s/ Lear Jiang  
Lear Jiang  
SUSMAN GODFREY, L.L.P.  
1900 Avenue of the Stars, Suite 1400  
Los Angeles, CA 90067  
(310) 789-3100 Telephone

Seattle, WA 98101  
Telephone: (206) 516-3880  
smorrissey@susmangodfrey.com  
jconnors@susmangodfrey.com  
kpeaslee@susmangodfrey.com  
***EXECUTIVE COMMITTEE FOR  
CLASS PLAINTIFFS***

By: /s/ Peretz Bronstein  
Peretz Bronstein  
BRONSTEIN, GEWIRTZ &  
GROSSMAN, LLC  
60 East 42nd Street, Suite 4600  
New York, NY 10165  
Telephone: (212) 697-6484  
peretz@bgandg.com  
***EXECUTIVE COMMITTEE FOR  
CLASS PLAINTIFFS***

By: /s/ Esther E. Berezofsky  
Esther E. Berezofsky  
MOTLEY RICE LLC  
210 Lake Dr. East, Suite 101  
Cherry Hill, New Jersey 08002  
Telephone: (856) 667-0500  
eberezofsky@motleyrice.com  
***EXECUTIVE COMMITTEE FOR  
CLASS PLAINTIFFS***

(310) 789-3150 Facsimile  
ljiang@susmangodfrey.com  
***EXECUTIVE COMMITTEE FOR CLASS  
PLAINTIFFS***

By: /s/ Teresa A. Bingman  
Teresa A. Bingman  
LAW OFFICES OF TERESA A.  
BINGMAN, PLLC  
4131 Okemos Road, Suite 12  
Okemos, Michigan 48864  
Telephone: (877) 957-7077  
tbingman@tbingmanlaw.com  
***EXECUTIVE COMMITTEE FOR CLASS  
PLAINTIFFS***

By: /s/ Paul F. Novak  
Paul F. Novak (P39524)  
WEITZ & LUXENBERG, P.C.  
3011 W. Grand Blvd., Suite 2150  
Detroit, MI 48202  
Telephone: (313) 800-4170  
pnovak@weitzlux.com  
***EXECUTIVE COMMITTEE FOR CLASS  
PLAINTIFFS***

### **CERTIFICATE OF SERVICE**

I hereby certify that on May 3, 2023, I electronically filed the above document(s) with the Clerk of the Court using the ECF System, which will provide electronic copies to counsel of record.

Respectfully submitted,

/s/ Stephen Morrissey  
Stephen Morrissey